

Application No. 10/735,534
Reply to Office Action of July 19, 2004

REMARKS

Claims 26-29 and 31-46 are pending. Claims 26, 35 and 43 are independent. Claim 30 has been canceled without prejudice or disclaimer. Applicants respectfully request reconsideration and allowance of the application as amended.

Restriction

Applicants hereby affirm the provisional election of Invention II, corresponding to claims 26-30. Applicants reserve the right to pursue any non-elected invention in a divisional application. Claims 26-29 and 31-46 all correspond to the elected invention and should be considered by the Examiner.

Rejection Under 35 U.S.C. § 112, first paragraph

Claim 29 stands rejected under 35 U.S.C. § 112, first paragraph. Applicants respectfully traverse.

The Examiner states that there is no written description support for glue strips that connect first and second halves of a carrier and that connect first and second portions of the first half. As amended, claim 29 recites that "at least one" of a plurality of hot melt glue strips connects first and second portions of the first half, thereby rendering this rejection moot.

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Rejection Under 35 U.S.C. § 102/103

Claims 26, 27, 29 and 30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, as obvious over Forrer (U.S. Pat. No. 3,752,543). Applicants respectfully traverse.

As amended, independent claim 26 recites a bottle carrier having first and second halves and a plurality of hot melt glue strips, wherein "at least one of the glue strips adheres said first half to said second half on adhesive lines, and wherein said adhesive lines are transverse to said spine fold line."

By contrast, Forrer discloses a carrier erected using cold glue. Referring to Figure 5 of Forrer, glue is applied at the stippled locations on riser panels 8, 10, 35 and 36. Forrer does not disclose a carrier using transversely oriented hot melt glue strips.

In rejecting original claim 30, the Examiner states that it would have been obvious to apply hot melt glue on Forrer's carrier in the same pattern indicated for cold glue, as shown in Figure 5. Applicants traverse this assertion on the grounds that conventional hot melt glue applications are not suitable for such applications. Specifically, one of ordinary skill in the art would not use a hot melt glue nozzle to apply glue to Forrer's carrier because of the difficulty in controlling the trailing end of hot melt glue in conventional machinery. Therefore, Forrer does not render claim 26 obvious.

Claim 35 recites a bottle carrier having a first half and a second half, and a "plurality of hot melt glue strips oriented transversely to the spine fold line and adhering the first half to the second half..."

Claim 43 recites a bottle carrier having first and second halves and a plurality of hot melt glue strips in which "the hot melt glue strips are arranged transverse to the spine

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fold line; and at least one of the hot melt glue strips adheres the first half to the second half."

Forrer fails to disclose hot melt glue strips arranged transverse to a spine fold line, and therefore cannot anticipate or render obvious claim 35 or claim 43.

In light of the above remarks, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102/103 based on Forrer.

Rejection Under 35 U.S.C. § 103

Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Forrer in view of Applicants' admission of prior art. Applicants respectfully traverse.

As stated above, Forrer fails to disclose transversely oriented hot melt glue strips. The Examiner's statement of obviousness does not cure Forrer's failure to disclose this feature, and the rejection should be withdrawn.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 based on Forrer.

Conclusion

In view of the above remarks, Applicants respectfully assert that the rejections of the claims as set forth in the Office Action have been addressed and overcome. Applicants further respectfully assert that all claims are in condition for allowance and requests that an early notice of allowance be issued.

If issues may be resolved through Examiner's Amendment, or clarified in any manner, a call to the undersigned attorney at (404) 962-7528 is respectfully requested.

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No fees are believed due, however, the Commissioner is hereby authorized to charge any deficiencies which may be required, or credit any overpayment to Deposit Account No. 09-0528.

Respectfully submitted,

11/9/04
Date


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Docket No.: R029 1940.2 (7216)